

Please replace Claims 18-21, with the following:

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18. (Once Amended) An isolated gene encoding a polypeptide consisting of the amino acid sequence defined by amino acids 1-378 of SEQ ID NO: 1.

19. (Once Amended) An isolated gene encoding a polypeptide consisting of an amino acid sequence exhibiting at least 90% identity with the amino acid sequence defined by amino acids 1-378 of SEQ ID NO: 1, wherein said polypeptide has the activity to biosynthesize theobromine using 7-methylxanthine as the substrate.

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20. (Once Amended) An isolated gene consisting of the nucleotide sequence defined by nucleotides 1-1298 of SEQ ID NO: 2.

21. (Once Amended) An isolated gene consisting of a nucleotide sequence exhibiting at least 90% identity with the nucleotide sequence defined by nucleotides 1-1298 of SEQ ID NO: 2, wherein said isolated gene encodes a polypeptide having the activity to biosynthesize theobromine using 7-methylxanthine as the substrate.

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